



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

22388 U.S. PTO
10/726135



| | | | |
|--|---|-----------|------------------|
| In re Application of: |) | | |
| Robert F. Rosenbluth, et al. |) | Art Unit: | To Be Determined |
| |) | | |
| Application No.: To Be Determined |) | Examiner: | To Be Determined |
| |) | | |
| Filed: December 1, 2003, Herewith |) | | |
| |) | | |
| For: Methods, Materials and Apparatus For |) | | |
| Deterring or Preventing Endoleaks |) | | |
| <u>Following Endovascular Graft Implantation</u> |) | | |

Transmittal of a Divisional Utility Patent Application

Express Mail mailing label no. EV 330361187 US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The PTO did not receive the following
listed item(s) DRAWING OF
AMENDMENT

Dear Sir:

Transmitted herewith for filing is the divisional utility patent application for "Methods, Materials and Apparatus For Deterring or Preventing Endoleaks Following Endovascular Graft Implantation."

- ☒ The applicant(s) hereby request(s) the filing of the divisional patent application under 37 CFR §1.53(b) as a divisional of U.S. Patent Application Serial No. 09/906,415, filed on July 16, 2001. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- ☒ A true copy of the following are enclosed:
 - ☒ the prior application as filed, including all 34 pages of specifications (including 23 pages of written description; 10 pages of claims (Claims 1-73), 1 page of Abstract and 8 sheets of drawings; and
 - ☒ the declaration of inventorship showing the signatures or an indication it was signed.

- ☐ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.
- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: --This is a divisional of U.S. Patent Application Serial No. 09/906,415, filed on July 16, 2001.--.
- ☒ Please amend the claims by canceling claims 1 - 73. Enclosed is a subsequent preliminary amendment presenting new claims for prosecution.
- ☒ Check No. 3244 covering the filing fee in the amount of \$556.00 accompanies this application, calculated as follows:

| | (Col. 1) | (Col. 2) | Small entity | | | Other than a |
|-------------------------------------|-----------|-----------|--------------|--------|--------|--------------|
| For | No. Filed | No. extra | Rate | Fee | Or | Small entity |
| Basic fee | | | | \$ 385 | Or | \$ |
| Total claims | 39 | - 20 = | 19 | x 9 | \$ 171 | Or x 18 |
| Indep claims | 1 | - 3 = | 0 | x 43 | \$ | Or x 78 |
| Multiple dependent claims presented | | + 130 | \$ | Or | + 260 | \$ |
| | | | Total | \$ 556 | Or | Total |
| | | | | | | \$ |

- ☒ An Assignment of the invention to Microvention, Inc., was previously recorded for Serial No. 09/906,415, Recordation date July 16, 2001 on Reel 011994, Frame 0704.
- ☐ A Statement of Ownership and Power of Attorney.
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☒ Eight (8) sheets of formal drawings are enclosed.
- ☒ The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown herebelow.

- ☐ The statement(s) of Small Entity Status filed in the prior application is no longer proper and is hereby withdrawn.
- ☒ An information disclosure statement is enclosed.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: December 1, 2003



Robert D. Buyan, Reg. No. 32,460

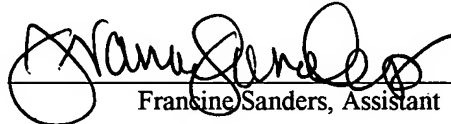
4 Venture, Suite #300
Irvine, CA 92618
Telephone: (949) 450-1750 ext. 213
Facsimile: (949) 450-1764

CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on December 1, 2003 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 1, 2003

By:



Francine Sanders, Assistant

Express Mail mailing label no. EV 330361187 US